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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE**

UNITED STATES OF AMERICA for the use of NORTH
STAR TERMINAL & STEVEDORE COMPANY, d/b/a
NORTHERN STEVEDORING & HANDLING, and NORTH
STAR TERMINAL & STEVEDORE COMPANY, d/b/a
NORTHERN STEVEDORING & HANDLING, on its own
behalf,

Plaintiffs,

and

UNITED STATES OF AMERICA for the use of SHORESIDE
PETROLEUM, INC., d/b/a MARATHON FUEL SERVICE,
and SHORESIDE PETROLEUM, INC., d/b/a
MARATHON FUEL SERVICE, on its own behalf,

Intervening Plaintiffs,

and

METCO, INC.,

Intervening Plaintiff,

vs.

NUGGET CONSTRUCTION, INC.; SPENCER ROCK
PRODUCTS, INC.; UNITED STATES FIDELITY AND
GUARANTY COMPANY; and ROBERT A. LAPORE,

Defendants.

No. 3:98-cv-9 (TMB))

MOTION TO VACATE AND CONTINUE TRIAL DATE

COMES NOW Counsel for United States Fidelity and Guaranty Company
(hereinafter "USF&G"), and herein moves the Court to vacate the Trial date presently
scheduled to commence May 7, 2007, and recalendar the same for a mutually convenient

BAROKAS MARTIN & TOMLINSON
1029 West Third, Suite 280
Anchorage, Alaska 99501
Phone: (907) 276-8010
Fax: (907) 276-5334

1 date and time. This Motion is supported by Affidavit of Counsel. An appropriate Order is
2 lodged with the Court.

3 Dated this 14th day of December, 2006.

4 /s Herbert A. Viergutz

5 Barokas Martin & Tomlinson, AK Bar No. 8506088
6 1029 West Third, Suite 280
7 Anchorage, AK 99501
8 Phone: (907) 276-8010
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10 barmar@gci.net

9 **CERTIFICATE OF SERVICE**

10 I HEREBY CERTIFY that a copy of this document
11 was served by electronic notification on this 14th day
12 of December, 2006, to:

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19 /s Herbert A. Viergutz

20 Herbert A. Viergutz

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